

## JOURNAL OF THE HOUSE.

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Thursday, March 18, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mrs. Walrath of Stow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, the Ultimate Source of Goodness and Truth, each day we try, with Your assistance, to make personal and legislative decisions which are right, honorable and prudent. Often we are faced with complex and sensitive issues which have both an immediate and far-reaching effect. In Your goodness, help us to comprehend legislative proposals and issues accurately and clearly. Inspire us to do the right thing for, in our hearts, minds and with a right conscience, we usually know what we should do. Teach us to keep all of our priorities in clear focus, so that we will address to the best of our ability the current human, social and people needs in our districts and in the Commonwealth.

*Prayer.*

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mrs. Walrath), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

*Pledge of  
allegiance.*

### *Message from the Governor.*

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to making special provisions for an election in the town of Webster to fill a vacancy on the board of selectmen and in the office of moderator (House, No. 4590) was filed this day in the office of the Clerk.

*Webster,  
board of  
selectmen  
vacancy.*

The message was read; and it was referred, on motion of Mr. Scibak of North Hadley, with the accompanying draft of a bill, to the committee on Rules.

Mr. Scaccia of Boston, for said committee, then reported on the foregoing message, a Bill making special provisions for an election in the town of Webster to fill a vacancy on the board of selectmen and in the office of moderator (printed in House, No. 4590). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Wagner of Chicopee, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Kujawski of Webster, the bill (having been reported by the committee on Bills in

the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Connolly of Everett) congratulating Concetta “Connie” Parisi on the occasion of her 80th birthday;

Resolutions (filed by Ms. Kaprielian of Watertown and other members of the House) congratulating Perkins School for the Blind on its 175th anniversary;

Resolutions (filed by Mr. Miceli of Wilmington) honoring Keith Peabody for winning the Gold Medal in 2002 and 2003 National Special Olympics;

Resolutions (filed by Messrs. Miceli of Wilmington, Finegold of Andover and Nangle of Lowell) honoring Edward K. “Ed” Dick;

Resolutions (filed by Mr. Murphy of Weymouth) congratulating Wilfred “Will” Edward Shelley on the occasion of his 80th birthday;

Resolutions (filed by Ms. Peisch of Wellesley) congratulating Eric Charles Beisecker on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Representatives Peisch of Wellesley and Linsky of Natick) congratulating Violetta “Vi” Tutuny on the occasion of her receiving the Harriet F. Seigel Shining Light Award for 2004; and

Resolutions (filed by Mr. Walsh of Boston) congratulating Robert D. O’Toole on the occasion of his retirement from the Pipefitters’ Association Local Union 537;

Mrs. Harkins of Needham, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Smizik of Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

The following order (filed by Mr. Wagner of Chicopee) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Tuesday, June 15, 2004, the time within which to make its final report on current House document numbered 4507.

Mr. Scaccia of Boston, for the committees on Rules, then reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Kujawski of Webster, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Special Report.

A report of the Department of Education (under the provisions of Section 9 of Chapter 70B of the General Laws) submitting a copy of

interim regulations for the school building assistance program (House, No. 4589), was referred to the committee on Education, Arts and Humanities. Sent to the Senate for concurrence.

Papers from the Senate.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2279) of Marc R. Pacheco, Thomas F. Reilly, Attorney General and James H. Fagan for legislation to increase options in the case of loss of group health insurance coverage. To the committee on Insurance.

Petition (accompanied by bill, Senate, No. 2281) of Robert S. Creedon, Jr., for legislation relative to the Massachusetts Commission Against Discrimination. To the committee on the Judiciary.

Petition (accompanied by bill, Senate, No. 2280) of Stephen M. Brewer and Anne M. Gobi for legislation to designate a certain bridge in the town of Barre as Private First Class Edward J. Cormier Memorial Bridge. To the committee on Transportation.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Karen Spilka for legislation to establish a charter school building assistance program within the Department of Education. To the committee on Education, Arts and Humanities.

Petition (accompanied by bill) of Kevin J. Murphy and other members of the General Court that the Secretary of the Commonwealth be authorized to promulgate rules and regulations for the conduct and duties of notaries public. To the committee on the Judiciary.

Under suspension of the rules, on motion of Mr. Hynes of Marshfield, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Ms. St. Fleur of Boston, for the committee on Education, Arts and Humanities, recommending that the Report of the Department of Education (under the provisions of Section 9 of Chapter 70B of the General Laws) submitting a copy of interim regulations for the School Building Assistance Program House, No. 3827) be placed on file.

Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning minimum wage (House, No. 4493) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2385) of Patricia D. Jehlen and other members of the General Court relative to the wages and

Group health insurance.

Commission Against Discrimination.

Barre, Cormier Bridge.

Charter schools.

Notaries public.

School Building Assistance Program.

Part-time employees, benefits.

Concetta Parisi.

Perkins School.

Keith Peabody.

Edward Dick.

Wilfred E. Shelley.

Eric C. Beisecker.

Violetta Tutuny.

Robert O Toole.

Transportation committee, extension of time for reporting.

School building assistance.

benefits provided part-time employees,— and recommending that the same be recommitted to the committee on Commerce and Labor. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Scaccia of Boston, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration

Of the Resolve establishing a special committee to study the creation and oversight of the standard for emergency medical services throughout the Commonwealth (House, No. 1742);

Of the Resolve relative to the donor laws in the Commonwealth (House, No. 2806);

Of the Resolve resolve establishing a special commission to make a study on long term custodial care options for cognitively intact, physically disabled young adults between ages of 19 and 59 (House, No. 3769);

Of the Resolve establishing a special commission to study and recommend improvements in the delivery of prescription drug benefits for the citizens of the Commonwealth (House, No. 3789);

Of the Bill establishing a special commission to study physical education in Massachusetts public schools (House, No. 4545);

Of the Bill establishing a special commission to study essential health services in Massachusetts public schools (House, No. 4546);

Of the Resolve relative to the study of methods to reduce incidents of suicide (House, No. 4547); and

Of the Bill to improve fire safety in the Commonwealth (House, No. 4550);

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Hall of Westford, for the committee on State Administration, on a petition, a Bill designating the former administration building on Tewksbury Hospital in the town of Tewksbury the “Richard P. Morris Building” (House, No. 4567). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 3850, Resolutions relative to the indictment, trial and imprisonment of Louis M. Greco and Enrico Tameleo for first degree murder and conspiracy to murder in the year nineteen hundred and sixty eight (House, No. 4579). Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Cabral of New Bedford, for the committee on Human Services and Elderly Affairs, on a petition, a Bill eliminating discrimination against children based on birth order (House, No. 1513).

By the same member, for the same committee, on Senate, Nos. 761, 798, 821 and 828 and House, Nos. 707, 708, 919, 1298, 1300, 3169 and 3178, a Bill to reform welfare (House, No. 4580).

By the same member, for the same committee, on House, Nos. 368, 2074 and 2818, a Bill further regulating direct payment of rent to landlords by the Department of Transitional Assistance (House, No. 4581).

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 2837, a Bill relative to licensure of court reporters (House, No. 4582).

By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, on House, Nos. 80 and 85, a Bill relative to the underground storage tanks program (House, No. 85, changed in section 2, in lines 16 to 21, inclusive, by striking out the sentence contained therein).

By the same member, for the same committee, on a petition, a Bill making corrective changes to promote environmental cleanup and the redevelopment of contaminated property (House, No. 1157, changed in section 6, in line 2, by striking out the figures: “64” and inserting in place thereof the figures: “65”; and in section 7, in line 2, by striking out the figures: “77-78” and inserting in place thereof the figures: “78-79”).

By the same member, for the same committee, on a petition, a Bill relative to advertising on Massachusetts Water Resources Authority Property (House, No. 2845).

By the same member, for the same committee, on a part of House, No. 1961 (sections 1, 3 and 4), a Bill to prevent residential liquid fuel spills into the environment (House, No. 4583).

By Mr. Casey of Winchester, for the committee on Taxation, on Senate, Nos. 1727, 1739, 1745, 1753, 1766, 1767, 1784, 1793, 1806, 1807, 1808, 1821, 1822, 1823, 1826, 1841 and 1845 and House, Nos. 638, 848, 1020, 1027, 1215, 1223, 1777, 1778, 1946, 2180, 2373, 2535, 2539, 2541, 2542, 2700, 2715, 2901, 3086, 3100, 3451, 3598, 3600, 3606, 3709 and 3989, a Bill relative to the taxation of certain disabled and elderly property owners (House, No. 4584).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Koutoujian of Waltham, for the committee on Health Care, on a petition, a Bill to reduce disparities in disease outcomes through improved prevention detection and treatment of uninsured Massachusetts residents (House, No. 3764).

By the same member, for the same committee, on Senate, No. 664 and House, No. 3768, a Bill relative to increasing accountability in the use of public health care funds (House, No. 3768).

By the same member, for the same committee, on Senate, No. 500 and House, No. 3787, a Bill relative to the usual and customary charge for prescription drugs (House, No. 3787).

Children, discrimination.

Welfare reform.

Direct rental payments.

Court reporters

Storage tanks.

Environmental cleanup and redevelopment.

M W R A property, advertising.

Fuel spills.

Disabled/elderly, property owners

Enhanced disease prevention.

Public health care funds.

Prescription drugs, charges.

Emergency medical services, study. Donor laws.

Young adults, custodial care.

Prescription drug benefits, study.

Physical education.

Schools, health services. Suicide incidents. Fire safety.

Tewksbury Hospital, Morris Building.

Greco/ Tameleo, indictment.

Non-medical  
leave of  
absence  
policies.  
Pharmacy  
assistance.  
Common-  
wealth,  
health  
services.  
Inmates,  
testing.  
Ambulatory  
surgical  
centers.

Common-  
wealth,  
equal access  
to services.  
Harbor-  
masters,  
certification.

Bill  
enacted.

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Bills  
enacted.

By the same member, for the same committee, on a petition, a Bill reforming nursing home's non-medical leave of absence policies (House, No. 4261).

By the same member, for the same committee, on a petition, a Bill relative to the pharmacy assistance program (House, No. 4381).

By the same member, for the same committee, on Senate, Nos. 619 and 649 and House, No. 150, a Bill to require equitable payment from the Commonwealth (House, No. 4585).

By the same member, for the same committee, on House, No. 2656, a Bill relative to testing of inmates for Hepatitis C (House, No. 4586).

By the same member, for the same committee, on House, No. 3754, a Bill relative to ambulatory surgical centers (House, No. 4587).

Severally read; and referred, under Rule 33C, to the committee on Medicaid.

By Mr. Cabral of New Bedford, for the committee on Human Services and Elderly Affairs, on a petition, a Bill ensuring equal access to services for all residents of the Commonwealth (House, No. 1118).

By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, on Senate, No. 1220 and House, No. 3005, a Bill relative to the appointment of certified harbormasters in the Commonwealth (House, No. 4588).

Severally read; and referred, under Rule 33D, to the committee on Homeland Security and Federal Affairs.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Joanne M. Sollecito, an employee of the Department of Correction (see House, No. 4440, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill making special provisions for an election in the town of Webster to fill a vacancy in the board of selectmen and in the office of moderator (see House, No. 4590) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills

Designating state highway Route 146A in the town of Uxbridge as the Lydia Taft Highway (see Senate, No. 1890);

Relative to a betterment assessment in the town of Sturbridge (see Senate, No. 2030);

(Which severally originated in the Senate);

Authorizing the town of Wellesley to establish a group insurance liability fund (see House, No. 3869);

Authorizing the town of Salisbury to make an appeal to the Appellate Tax Board (see House, No. 4296); and

Relative to certain housing in the city known as the town of Methuen (see House, No. 4416);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill authorizing the appointment of Kenneth E. Wright as a police officer in the town of Mansfield (Senate, No. 1589), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third  
reading  
bill.

House bills

Relative to the release of a conservation restriction in the town of Grafton (House, No. 4352); and

Exempting the position of deputy police chief of the town of Braintree from the civil service law (House, No. 4379) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Third  
reading  
bills.

Order.

On motion of Mr. Finneran of Boston,—

*Ordered*, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next  
sitting.

At two minutes after twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mrs. Walrath of Stow being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.